

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**BRANDEN LEE HARPER**

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**Case No. 1:19-CR-300-KOB-HNJ**

**ORDER DENYING MOTION TO SUPPRESS**

This matter comes before the court on Defendant Branden Lee Harper's Motion to Suppress Evidence and Statements. (Doc. 22.) A grand jury indicted Mr. Harper for allegedly violating 18 U.S.C. § 922(g)(1) as a felon in possession of a firearm, and the instant motion seeks to suppress methamphetamine and a pistol seized from a vehicle that he drove. Officers from the Talladega County Sheriff's Office stopped Mr. Harper at a checkpoint and discovered that he was driving with a revoked license; the officers then found the gun and drugs in a lockbox during a post-impoundment inventory search of the vehicle. Mr. Harper's motion contends that both the checkpoint and inventory search violated his Fourth Amendment rights.

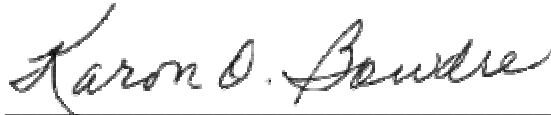
Mr. Harper filed the instant motion on November 11, 2019, and Magistrate Judge Herman Johnson presided over a suppression hearing on January 1, 2020. (Docs. 29, 33.) Following the hearing and subsequent briefing from the government (Doc. 35), Judge Johnson issued a report on April 20, 2020, recommending that the court deny the motion (Doc. 36.) Mr. Harper filed objections to the report and recommendation on May 4, 2020. (Doc. 37.)

The court has carefully and thoroughly reviewed all materials submitted in support and in opposition to the Motion and has read the transcript of the hearing conducted by Judge Johnson. While the policies and procedures of the Talladega County Sheriff's Office lack clarity and are

unartfully written, all the officers testified to their clear understanding about the procedures regarding traffic checkpoints, impounding vehicles, and the complete inventorying of impounded vehicles. Judge Johnson meticulously analyzed the applicable law and found that the Talladega County Sheriff's Office's actions comported with the Office's standard operating criteria and did not violate the Fourth Amendment's prohibition on unreasonable searches and seizures. The court determines that Judge Johnson's findings and analysis are both thorough and well-reasoned.

The court **OVERRULES** Mr. Harper's objections, **ACCEPTS** Magistrate Judge Johnson's recommendation (Doc. 36), and **DENIES** the motion to suppress. (Doc. 22.)

**DONE** and **ORDERED** this 12th day of June, 2020.

A handwritten signature in black ink, reading "Karon O. Bowdre". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

**KARON OWEN BOWDRE**  
UNITED STATES DISTRICT JUDGE